



## ***TUCSON CITY COURT*** ***ARIZONA'S 2<sup>ND</sup> LARGEST VOLUME COURT*** ***MONTHLY UPDATE FOR JULY AND AUGUST 2017***

In its capacity as a Limited Jurisdiction Court (LJC), Tucson City Court is responsible for adjudicating misdemeanor crimes, violations of criminal traffic, civil traffic, parking violations and city ordinances within the city limits. Tucson City Court processes an average of 223,000 charges annually (15 year average); approximately 39% of the charges filed are criminal. The court building averages 332,518 visitors each year. The court collects an average of \$22.3 million per year in gross collections and disburses about \$12.3 million to the City of Tucson with the remainder disbursed to the state and other local governments. The Court's customer call center receives roughly 68,000 calls per year and approximately 60,000 pieces of mail per year. In FY18 the Court is staffed at 118 employees: 9 judicial officers, 101 administrative staff which include 3 federal grant funded employees and 5 restricted fund employees.

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## NOTEWORTHY THIS MONTH

Our own Judge Michael Pollard was named Judge of the Year for 2017, at this year's Judicial Conference. Judge Pollard is a pioneer willing to try new approaches in the hopes of solving problems within his community. Since 1994, Judge Pollard has served as Tucson City Magistrate. In 2008, he created Arizona's first Veterans Court specialty docket. As a US Marine Corps veteran himself, Judge Pollard has an immediate kinship with the veterans who arrive in his court. Since then, several municipal and justice courts have relied on Judge Pollard's expertise as a mentor as they set up their own Veterans Courts. Veterans Court was built on the successful specialty court model he launched in 2004 to deal with legal problems among Tucson's homeless. Bringing community service providers together to assist veterans, the homeless and disadvantaged individuals has paid great dividends in the Tucson community. Judge Pollard served as member and Chair of the Arizona Supreme Court Committee on the Impact of Domestic Violence and the Courts and was actively involved in statewide judicial and domestic violence issues. He also served on the National Conference of Juvenile and Family Court Judges/Department of Justice Committee that formulated the Domestic Violence Bench Card. Judge Pollard just recently stepped down from 20 years as chair of the Supreme Court's Court Automation Coordinating Committee. Among his many honors, Judge Pollard was inducted into the Arizona Veterans Hall of Fame in 2016 and became the first recipient of the James E. Rogers College of Law, Veterans Advocacy Clinic Battle Buddy Award. Also in 2016, he received the League of United Latin American Citizens Community Service Award. In 2015, Congressman Raul Grijalva recognized his service to veterans by reading a commendation into the Congressional Record.





Deputy Court Administrator, Laura Spain, became a Fellow of the Institute for Court Management (ICM), having successfully completed the rigorous requirements of ICM's Fellows Program. Laura and 11 other court professionals from the United States took part in graduation ceremonies conducted at the Supreme Court of the United States in Washington, D.C. The Honorable Major General William K. Suter, Clerk of the Supreme Court of the United States (ret.), welcomed and addressed the graduates.

The ICM Fellows Program is the only program of its kind in the United States. This professional certification program was established more than 45 years ago, in part, by Chief Justice of the United States Warren E. Burger in his call for improving the management of state court administration. The intensive four-phase educational program better prepares court professionals for management and leadership positions. Since the first class of graduates in 1970, nearly 1,270 court professionals in 48 states, the District of Columbia, Guam and 12 foreign countries have become Fellows.



Becoming an ICM Fellow is a process of continual professional development that includes four steps.

- The first step for a candidate is to achieve Certified Court Manager status through successful completion of six in-depth courses: caseload management; court performance standards; fiscal management; human resources; purposes and responsibilities of courts; and technology management.
- The second step is to achieve Certified Court Executive status through completion of additional coursework that includes: court community communication; education, training and development; essential components; high performance courts framework; leadership; and visioning and strategic planning. Students must also complete the Distance Learning Phase, an online component that prepares participants for the work necessary to complete the Court Project Phase.
- The third step is completion of the Court Project Phase which entails a court research and improvement project. Participants must design and complete an independent master's-level research project that relates to evaluating and implementing a key court activity in their home jurisdiction.
- The fourth step and the culmination of this professional development process is the Presentation Phase. Participants must demonstrate their leadership skills by developing and clearly articulating the results of their findings and recommendations before a respected panel and their classmates.



## **JULY AND AUGUST'S FOCUS: REDUCING AND CONTROLLING JAIL COSTS**

Tucson City Court has undertaken many projects over the years with our partners in the criminal justice system to control and reduce jail costs. Jail costs are major expense to the City of Tucson and budgeted at \$5.89 million in FY18. The Court and our partners in the criminal justice system have been successful in keeping costs in the area of 6.8 million or less per year. Regardless of the efforts to control annual jail cost, the Pima County Adult Detention Center continues to increase the per booking cost and per day inmate cost annually.

While the Court and our partners have been successful in reducing the number of defendants in the Pima County Adult Detention Center, the annual cost remains static due to the increase in the booking and inmate day cost. If the Court and our partners had not put programs in place the City could be experiencing jail costs in the area of \$12 million or more per year.

Cost for the incarceration of defendants (prisoners) in the Pima County Adult Detention Center (PCADC) is comprised of two basic components and these two components are charged regardless of whether the defendant is in jail as pretrial status or confined as a part of a sentenced imposed in an adjudicated case. The first cost is the booking costs which in FY17 was \$299.53 per booking. This cost is paid when a defendant is booked into the jail pretrial or when a defendant is booked in to serve a sentence of incarceration. Often the City pays the booking fee twice on the same defendant; once when they are arrested and booked pretrial and again when sentenced to jail as part of the sanctions impose in their adjudicated case. Incarceration is often a mandatory sentence in specific types of criminal cases. The Second cost is the inmate day cost which are subsequent days billed after the booking day; in FY17 the inmate day costs was \$89.02 per day.

For FY18 the PCADC predicts a decline of -3.35% in bookings and -2.88% in inmate days yet they still increased their booking fees 5.23% to \$315.18 and inmate day (housing rate) by 6.55% to \$94.94. Their rationale:

**However, a reduction in the inmate population does cause a corresponding increase in the individual cost to house inmates. Housing rates are based on the operating costs divided by the inmate population. When the inmate population decreases, the cost is re-distributed causing an actual increase per inmate. The adjustment is necessary in order to be effective in our cost recovery efforts.**

By that rationale the Court and our partners in the criminal justice system cannot affect jail board rates. Only when the PCADC cuts their operating costs will the City of Tucson see a reduction in jail board rates. Until then our efforts may be effective at reducing the overall jail board bill but will be ineffective in reducing the booking fee and inmate day fee.



As most sentenced jail time is mandatory the Court and our partners have focused on reducing jail time presentencing and avoiding defendants being booked into the PCADC. For example the Tucson Police Department (TPD) is focused on citing and releasing defendants whenever applicable. There is also the Alternative to Jail (ATJ) program which allows officers to bring defendants to an out of custody initial appearance in certain cases; this process is done in lieu of booking the defendant into jail. In last month's May Court Update the focus was on the 24 Hour ATJ pilot Project which will be held in July 2017. This pilot project will make a judge available to officers for an enhanced field release 24 hours per day for a period of 30 days.

## **PREADJUDICATION JAIL REDUCTION PROGRAMS AND PROJECTS**

### **ENHANCED FIELD RELEASE (EFR) PILOT PROJECT**

This program has replaced the Alternative to Jail (ATJ) program. The EFR pilot project involves having a magistrate accessible by telephone 24 hours per day during the pilot project. Tucson Police Department (TPD) officers will be able to conduct an enhanced field release by telephone with a judge who will have secure electronic access to a defendant's case record. The goal of the program is to reduce costs associated with first day booking and subsequent day jail board costs. The EFR pilot project supports strategies of the City and MacArthur Grant related to reducing the Pima County Adult Detention Center's jail census and controlling jail costs.

This pilot project has had a difficult start up and has not seen much use in the first month. The Court and TPD are working to resolve some technological issues which may improve use of this program. It is estimated that if used to its full potential the EFR pilot project could save in excess of \$1 million in jail booking costs plus savings on subsequent inmate day costs.

### **WALK-IN-WARRANT COURT**

Tucson City Court has conducted a Walk-in Warrant Court in one form or another for 15+ years. The current version of Walk-in Warrant Court is held every afternoon, Monday through Thursday. In FY17 it has averaged 382 defendants seen per month. Defendants appearing in Walk-in Warrant Court see a judge, have their active warrant reviewed and if appropriate quashed and are given a new court date. Every defendant seen and released at Walk-in Warrant Court is a potential savings of \$315.18 in avoided booking costs; this potential cost avoidance is \$120,399 per month or \$1.4 million per year. This estimate assumes every defendant seen at Walk-in Warrant Court would be booked.





## **SATURDAY WARRANT COURT**

This program is nearly the same as the Walk-in Warrant Court except that it is held on a Saturday so that defendants who are working can have access to court services. The Tucson City Court has held 4 Saturday Walk-in Warrant Courts serving a total of 1,184 defendants: 423 warrants quashed and 761 other court issues addressed. The potential cost avoidance from Saturday Walk-in Warrant Court is in excess of \$126,000.

Saturday Warrant Courts are now held in conjunction with Pima County Consolidated Justice Court in the Pima County Public Service Center Building. Operating in the same building reduces costs for the City of Tucson and improves service for the public.

## **VIDEO REVIEWS**

Every defendant held in the Pima County Adult Detention Center must have a review of their bond hold within 10 days. Tucson City Court conducts this bond review hearing by video review which allows the review to be conducted in less than 10 days and avoids the need to transport defendants to the court building. The Court was conducting reviews at 4.5 to 6 days and is working to reduce the time for a video review. There are victim notice requirements that affect our ability to shorten this time in cases involving victims

## **ELECTRONIC MONITORING FOR PRETRIAL RELEASE**

Pretrial Services is using this program to monitor defendants are released instead of being held until they can post bond or are released at the next scheduled review hearing. The program is growing and expanding slowly.

## **FIVE DAY WARRANT HOLD FOR FAILURE TO APPEAR**

On May 8, 2017, the Court implemented a short term project: Five Day Warrant Calls. This project is designed to reduce the number of Failure to Appear (FTA) warrants and negate subsequent arrests on those warrants. The program will involve postponing the issuance an FTA warrant for five days and contacting the defendant by phone the day of their FTA and informing them they have five days to appear at the court and the warrant will issue for their arrest.





This program is not proving to be as effective as originally thought. In the first twelve (12) work days of operation there were 192 Failure to Appear defendants. The Court was able to contact 96 of those defendants and inform them they had five days to report or a warrant would be issued for their arrest. Of the 96 defendants contacted, only 15 complied and reported within the five day period; that is a 15.6% compliance rate.

### **ALTERNATIVE TO JAIL (ATJ)**

This program has been suspended while the Enhanced Field Release pilot project is ongoing.

### **CITE AND RELEASE**

As most sentenced jail time is mandatory the Court and our partners have focused on reducing jail time presentencing and avoiding defendants being booked into jail. One of the best mechanisms is to cite and release defendants when appropriate. TPD is focused on using cite and released when appropriate to include citing and releasing on misdemeanors in conjunction with a felony when the defendant is booked on a felony. This avoids the City of Tucson splitting the booking cost.

## **POST ADJUDICATION JAIL REDUCTION PROGRAMS AND PROJECTS**

### **HOME DETENTION PROGRAM**

This program allows defendants to serve their jail sentence at home while being electronically monitored by GPS. It is very similar to the Electronic Monitoring for Pretrial Release Program except that it is for adjudicated cases rather than pretrial cases. Cost savings are roughly \$79.94 per day and are paid by the defendant unless they are indigent.

### **INDIGENT HOME DETENTION PROGRAM**

The Court and Public Defender's Office were successful in obtaining a minimum of \$10,000 for this program. It allows defendants to serve their jail sentence through home detention generating a savings of approximately \$79.94 per day for the City of Tucson. In FY18, four defendants have been sentenced to indigent home detention. Each defendant was sentenced to 96 days; this would have cost the City of Tucson a total of \$37,337.20. However using home detention each defendant cost \$964.00 for electronic monitoring for a total of \$3,856. **This program saved the City of Tucson \$33,472.20 on these four defendants.**



## **PROBLEM SOLVING COURTS (SPECIALTY COURTS)**

Tucson City Court has been an innovative leader in this area with our nationally recognized Mental Health Court, Regional Municipalities Veterans Treatment Court and our Dedicated Domestic Violence Court. Our problem solving courts are often asked to provide guidance and mentorship for similar developing problems solving courts around the country. These problem solving courts work with social service agencies to link defendants with needed services to develop treatment plans.

## **USE OF SANTA CRUZ COUNTY JAIL**

This program was undertaken as a means to reduce and control jail board costs. The Santa Cruz County Jail had excess capacity and was willing to accept City Court defendants sentenced to 10 or more days without charging a booking fee. The Santa Cruz County Jail charges a flat \$65 per inmate day fee and bills medical costs by defendant. There is a cost savings to the City of Tucson of \$29.29 per day when City Court defendants are serving time in the Santa Cruz County jail instead of the PCADC.

In the course of FY17 the City of Tucson saved approximately \$158,000 in jail board costs by using the Santa Cruz County Jail. Unfortunately any costs savings achieved by this program were negated in FY18 as the PCADC raised their jail board rates as stated earlier in this report.





## COURT HUMAN RESOURCES

Tucson City Court's general fund authorization in FY18 will be for 110 positions: 9 magistrates and 101 administrative staff. The Court has 3 positions funded by federal grants and 5 positions funded by court restricted funds, bringing our total authorizations to 118 positions.

POSITION	AUTHORIZED	ACTUAL	OVER/UNDER
CITY MAGISTRATE (UC)	8	8	0
PRESIDING MAGISTRATE (UC)	1	1	0
EXECUTIVE ASSISTANT	1	1	0
ADMINISTRATIVE ASSISTANT	4	4	0
MANAGEMENT ASSISTANT	1	0	1
DEPUTY COURT ADMINISTRATOR	1	1	0
COURT ADMINISTRATOR	1	1	0
INFO TECH SPECIALIST	2	1	1
SYSTEMS ANALYST	2	2	0
INFORMATION TECHNOLOGY MANAGER	1	1	0
DATABASE ADMINISTRATOR	1	1	0
ACCOUNTANT	1	1	0
COURT CLERK	37	33	4
SENIOR COURT CLERK	44	41	3
COURT INTERPRETER - SPANISH	2	0	2
COURT SUPERVISOR	8	7	1
COURTMANAGER	3	3	0
TOTAL	118	106	12

The Court recently restructured by reallocating a Court Clerk position to an Administrative Assistant position and reclassified the Executive Assistant position to a Management Assistant position.



## IMPLEMENTING JUSTICE FOR ALL REPORT RECOMMENDATIONS

### **IMPROVED COMPLIANCE ASSISTANCE PROGRAM, RECOMMENDATIONS 6, 7 & 8.**

Tucson City Court has implemented recommendations #6, #7 and #8 of the Justice for All Report in our Improved Compliance Assistance Program (ICAP). This program began on January 30, 2017, after a period of testing. Since inception and as of August 30, 2017, the program has:

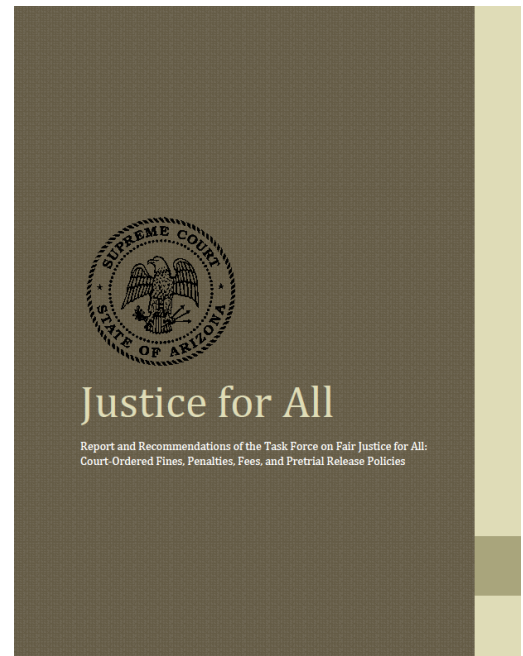
- Enrolled 2,755 defendants with 7,582 cases.
- Collected \$555,165 in good faith down payments.
- Brought cases assessed at \$4.778 million back on track (for now).

Additionally,

- The average good faith down payment is \$201.
- The average ICAP monthly payment is \$36.
- The average number of cases per defendant is 2.7 cases.
- The average debt per defendant is \$1,734.
- The failure rate is 33%, meaning 1/3 of enrollees fail to make their first scheduled payment.
- Approximately \$67,000 per month is being collected that would otherwise not be collected without this program.

### **EXTENDED HOURS COURT, RECOMMENDATION #22.**

As of October 3, 2017 Tucson City court will only be offering Extend Hours Court once per month in the Pima County Public Service Center, located at 240 N. Stone Ave, Tucson. Although a good idea in theory, in reality the public did not use the weekly extended hours in numbers sufficient to justify its operation on a weekly basis. Both Pima County Consolidated Justice Court and Tucson City Court will now operate a monthly Extended Hours Court.





## **SATURDAY WARRANT COURT**

The next Saturday Warrant Court has not yet been scheduled but will be held in the Pima County Public Service Center located at 240 N. Stone Ave, Tucson.

## **PROJECT UPDATES**

Tucson City Court has several projects underway which will enhance service provided to the public. The top three priority projects are:

### **INTERACTIVE VOICE RESPONSE (IVR) SYSTEM**

This project is on hold and has been modified for in bound calling only. The current release for the Arizona Judicial Automated Case System (AJACS) has a text module to place out bound reminder calls to defendants regarding upcoming court events. The inclusion of this reminder text system in AJACS is free to the court and will save significant dollars. The court is currently planning the upgrade to the new version of AJACS.

Tucson Police Department has done an excellent job of providing phone numbers on citations. They have gone from only 9% of citations having phone numbers to 95% of citations having phone numbers.

### **BUILDING IMPROVEMENT PROJECT**

The building improvement project is complete. A complete report with before and after pictures of the project is available on our website at [https://www.tucsonaz.gov/files/courts/City\\_Courts -  
\\_Project\\_Completion\\_Summary.pdf](https://www.tucsonaz.gov/files/courts/City_Courts_-_Project_Completion_Summary.pdf)

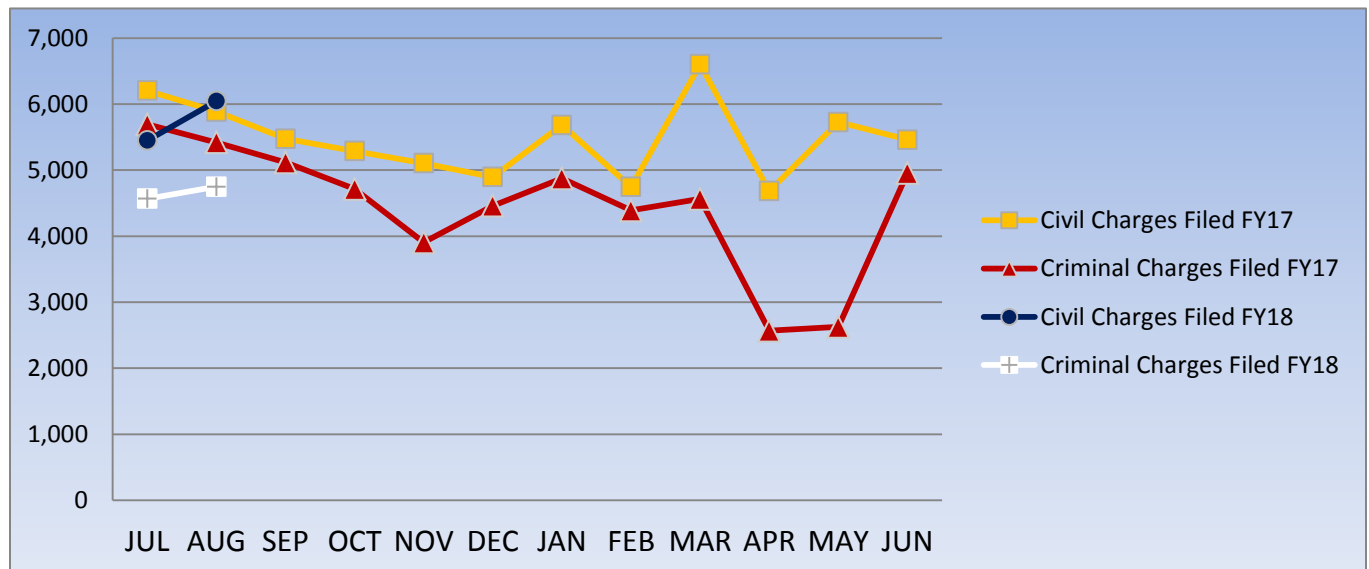


## ***TUCSON CITY COURT STATISTICS***

Tucson City Court will now be utilizing statistical reports resident in our automated case management system, Arizona Judicial Automated Case System (AJACS) to track and report workload. These reports were developed by the Arizona Supreme Court's Administrative Office of the Courts and expand on the statistical reports used in the legacy automated case management system, AZTEC, which is still in use by many court in Arizona. Although providing much of the same information as the reports in AZTEC the new reports in AJACS break down former case categories much further providing additional information on charge filings. There appears to be an issue with data related to case dispositions and we are working with the Administrative Office of the Courts (AOC) on this issue. I've included the report so everyone can at least see the new format.

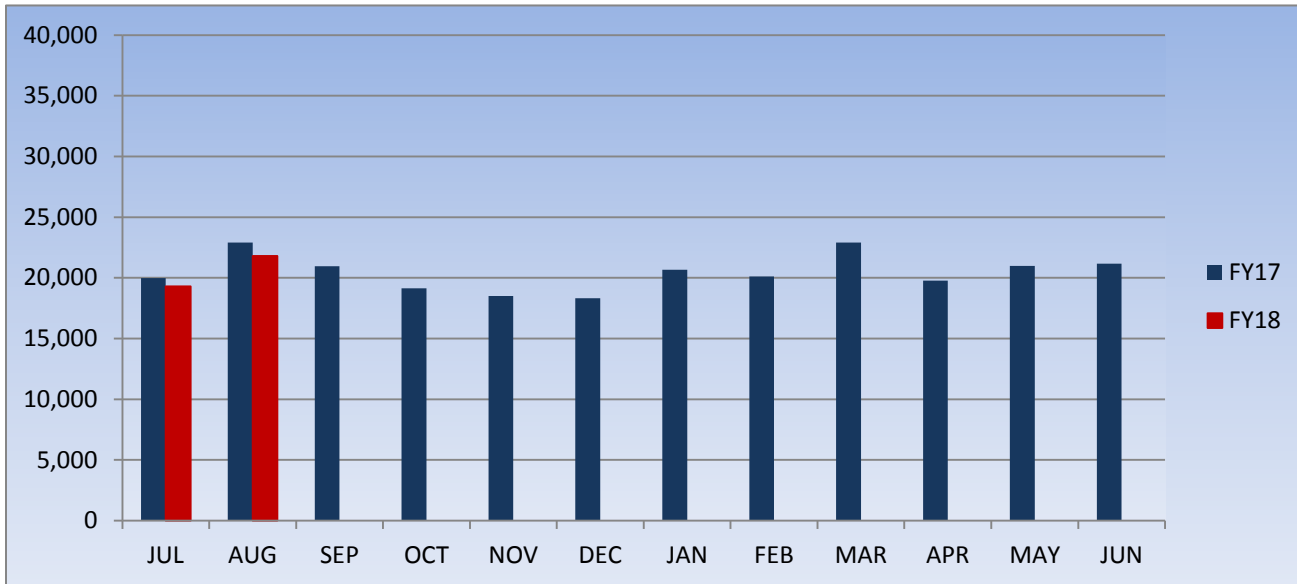
In the old report, misdemeanor charges were reported as a whole where the new AJACS report, various charges within the category of misdemeanor charges are given. The new report also provides the number of misdemeanor charges filed related to Domestic Violence charges; although the number of Domestic Violence charges are included in the other misdemeanor charges, they are also reported separately as Domestic Violence charges.

### **CHARGES FILED**

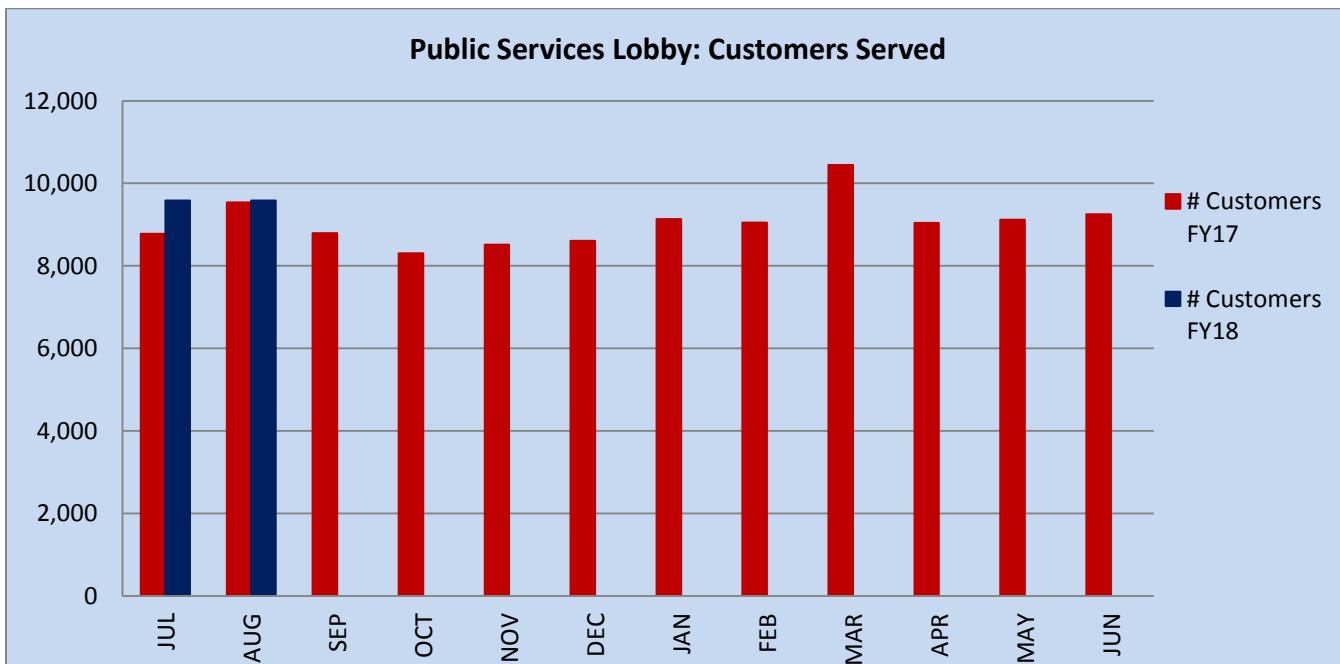




## VISITORS TO COURT BUILDING



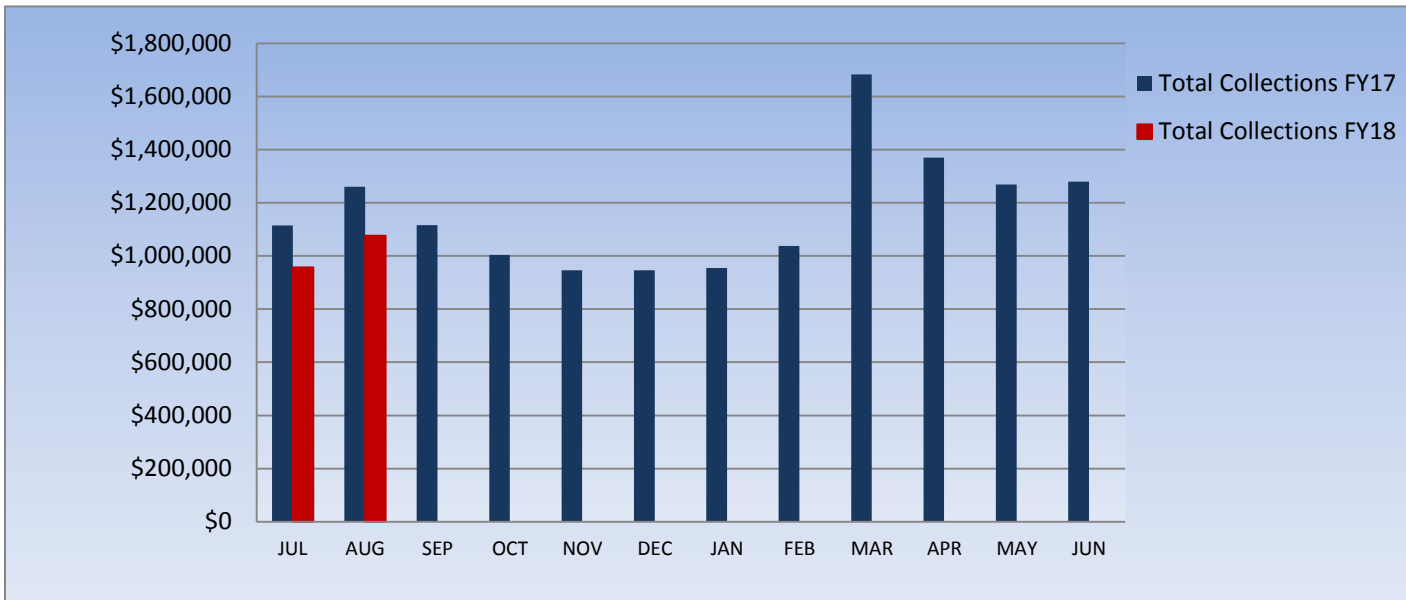
## CUSTOMERS SERVED IN PUBLIC SERVICES LOBBY



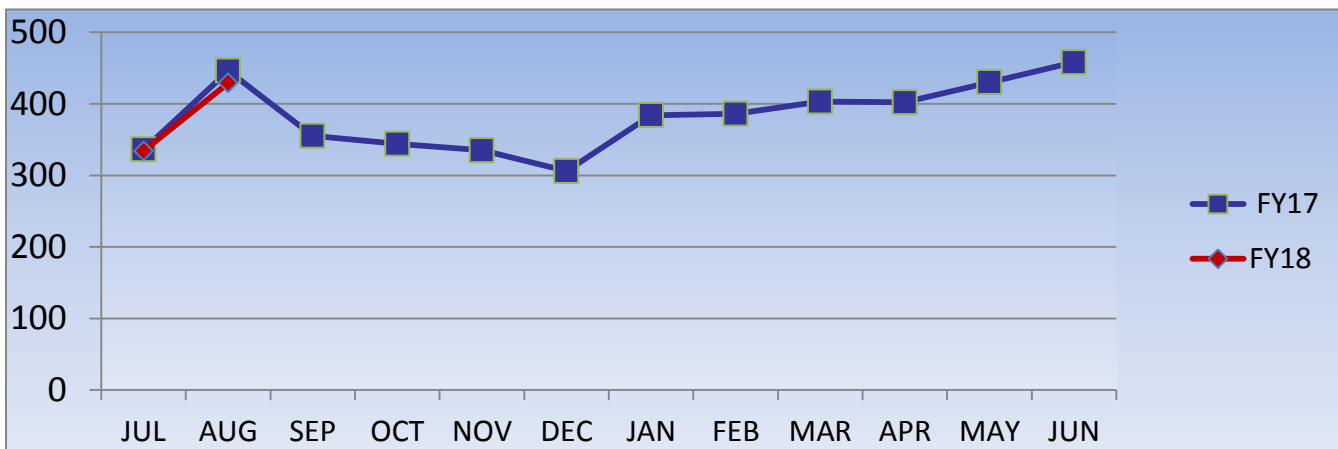




## COLLECTIONS (ENFORCEMENT OF COURT ORDERED SANCTIONS)



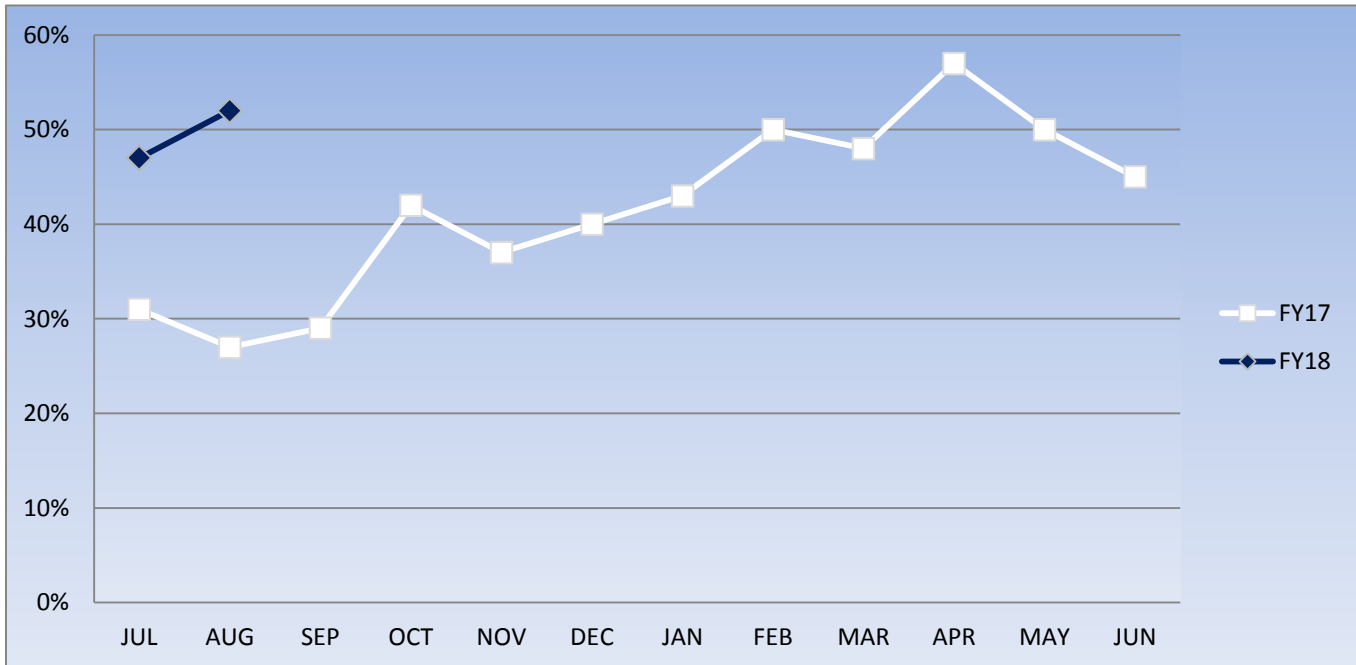
## DEFENDANTS SEEN AT WALK-IN WARRANT COURT



***In FY16 Walk-in Warrant Court saw 5,100 defendants***  
***In FY17 year to date 3,295***



## FAILURE TO APPEAR (FTA) RATE AT OUT OF CUSTODY CRIMINAL ARRAIGNMENTS

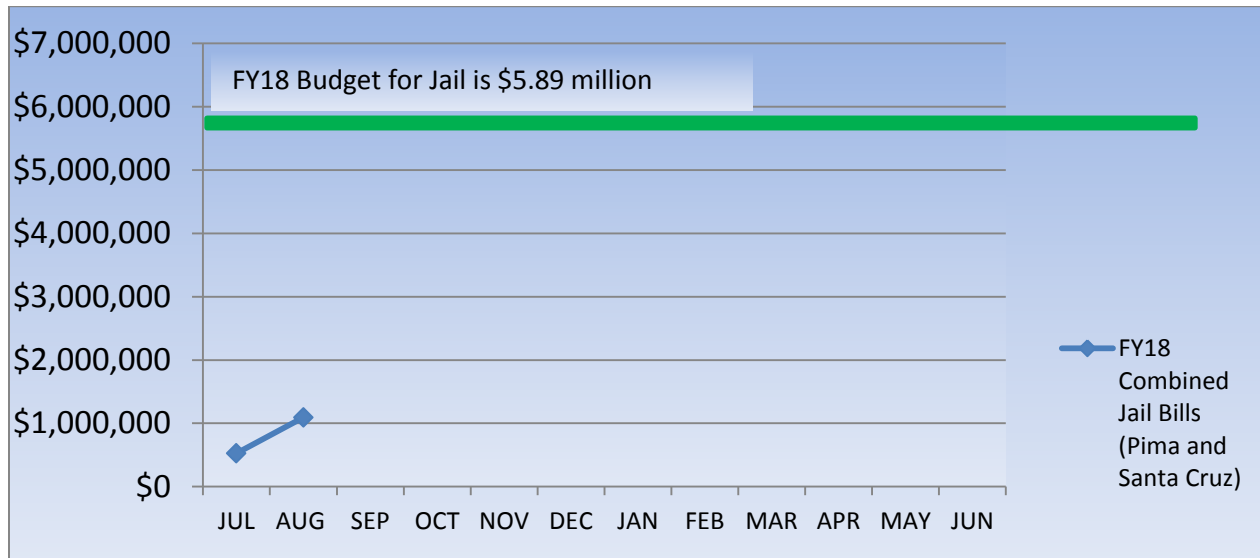


## JAIL COST REDUCTION

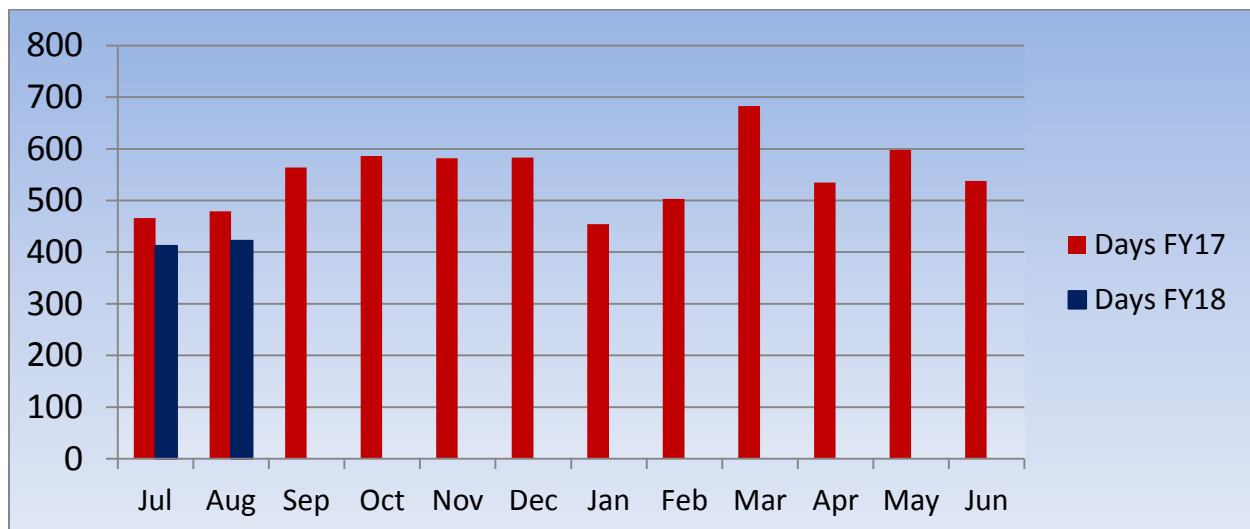
There are several ongoing collaborative efforts between the City Prosecutor, City Public Defender, Tucson Police Department (TPD) and the Court to control jail costs. These include plea offers made at initial appearances at the jail, video reviews for defendants being held, cite and release on appropriate crimes by TPD, Alternative to Jail Program (ATJ), use of Santa Cruz County Jail for confinement sentences longer than 10 days, walk-in warrant court held every afternoon Monday through Thursday and Saturday Warrant Days conducted twice a year in January/February and again in June/July time frame.



## **JAIL COST VERSES ALLOCATED BUDGET – CUMULATIVE COST FOR FY18, INCLUDES PIMA COUNTY ADULT DETENTION CENTER (PCADC) AND SANTA CRUZ COUNTY JAIL COSTS**



## **DAYS USED SANTA CRUZ COUNTY JAIL**



**SHOULD YOU HAVE ADDITIONAL QUESTIONS, CONCERNS OR SUGGESTIONS FOR ITEMS TO BE INCLUDED IN THIS REPORT PLEASE CONTACT COURT ADMINISTRATION AT 520-791-4189 OR SEND AN EMAIL TO [courtweb@tucsonaz.gov](mailto:courtweb@tucsonaz.gov).**